

ORDINANCE NO. 14-2005

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CODE AT CHAPTER 8, ARTICLE III, SECTION 8-42, "ENTITLED PERMITTED HOURS OF USE"; TO CHANGE THE HOURS OF PERMITTED USE OF THE LAKE PARK HARBOR MARINA TO PREVENT USE OF, AND VEHICULAR PARKING AT, THE MARINA FROM 9:00 P.M. TO 6:00 A.M.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Lake Park, Florida (Town) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town of Lake Park Commission has the authority to proscribe rules and regulations for the operation of the Lake Park Harbor Marina; and

**WHEREAS**, the Town Commission has reviewed the current hours of operation for the Marina and has determined that it is in the best interests of the Town and its citizens to amend the hours of operation.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1.** The whereas clauses are hereby incorporated as true and correct as the findings and fact and conclusions of law of the Town Commission.

**Section 2.** Chapter 8, Article III, Section 8-42 of the Town Code of Ordinances of the Town of Lake Park, Florida Code is hereby amended to read as follows:

**Sec. 8-42. Permitted hours of use.**

(a) No person, except as otherwise provided herein, shall use or be present on the premises of the marina from 9:00 p.m. until 6:00 a.m. ~~12:00 a.m. (midnight) until 5:00 a.m.~~; however, this provision shall not apply to persons using launching ramps for boat recovery only, tenants of the marina and their guests nor to employees of the town.

(b) Vehicular parking within the marina facility from 9:00 p.m. until 6:00 a.m. ~~10:00 p.m. until 5:00 a.m.~~ shall be prohibited other than of the vehicles of registered boat owners and their guests, participants in organized approved events, ramp users awaiting recovery, and authorized town employees.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 4. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5. Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon adoption.

14-2005

Upon First Reading this 21st day of September 2005, the foregoing ORDINANCE 14-2005 was offered by Vice Mayor Garretson, who moved its approval. The motion was seconded by Commssioner Balius, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	<u>      </u>
VICE MAYOR Garretson	<u>X</u>	<u>      </u>
COMMISSIONER Balius	<u>X</u>	<u>      </u>
COMMISSIONER ED DALY	<u>X</u>	<u>      </u>
COMMISSIONER JEFF CAREY	<u>X</u>	<u>      </u>

PUBLISHED IN THE PALM BEACH POST THIS 30th DAY OF Sept., 2005, AND THE        DAY OF       , 2005.

Upon Second Reading, this 5th day of Oct., 2005, the foregoing ORDINANCE was offered by Commissioner Balius who moved its adoption. The motion was seconded by Commissioner Daly, and upon being put to a vote, the result was as follows:

	AYE	NAY	
MAYOR PAUL CASTRO	<u>X</u>	<u>      </u>	
VICE MAYOR Garretson	<u>      </u>	<u>      </u>	Absent
COMMISSIONER Balius	<u>X</u>	<u>      </u>	
COMMISSIONER ED DALY	<u>X</u>	<u>      </u>	
COMMISSIONER JEFF CAREY	<u>X</u>	<u>      </u>	

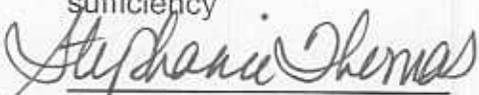
The Mayor thereupon declared Ordinance No. 14-2005 duly passed and adopted this 5th day of Oct., 2005.

TOWN OF LAKE PARK, FLORIDA

BY:   
Mayor Paul Castro

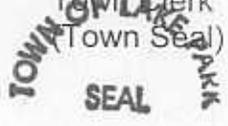
Approved as to form and legal

ATTEST:  
sufficiency

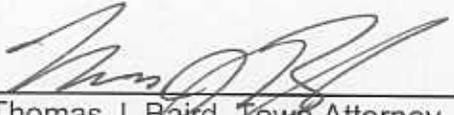


Stephanie Thomas

Town Clerk  
(Town Seal)



FLORIDA

  
Thomas J. Baird, Town Attorney